

Unvalidated References:
Child Welfare Act 1961

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel
Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 276.

Child Welfare Regulation 1962

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SCHEDULE 1

Child Welfare Regulation 1962

MADE under the *Child Welfare Act 1961*.

Dated 200 .

PART I. – PRELIMINARY.

1. INTERPRETATION.

In this Regulation, unless the contrary intention appears–

“accident” means an accident requiring treatment by a medical practitioner or medical assistant;

“allowance” means an allowance under Section 14 of the Act;

“home” means a home for mentally defective children established under Section 22 of the Act;

“honorary lady visitor” means a person appointed under Section 12 of the Act to be an honorary lady visitor;

“honorary welfare officer” means a person appointed under Section 12 of the Act to be an honorary welfare officer;

“illness” means an illness requiring treatment by a medical practitioner or medical assistant;

“visitor”, in relation to an institution or home, means a person appointed under Section 11 of the Act to be a visitor to the institution or home.

PART II. – VISITORS TO HOMES AND INSTITUTIONS.

2. INSPECTIONS BY VISITORS.

(1) Subject to Subsection (2), a visitor shall visit and inspect the institution or home to which he is appointed at least once in each period of three months and, in addition, whenever so directed by the Minister.

(2) When a visitor is unable to carry out an inspection under Subsection (1), he shall notify the Minister and the Minister may appoint another person to carry out that inspection in the place of the visitor.

(3) For the purposes of an inspection under Subsection (1), a visitor—

- (a) has access at all reasonable times to all parts of the institution or home to which he is appointed; and
- (b) may question any person in regard to any matter that in his opinion may affect the health, welfare or progress of a child in the institution or home.

(4) This section does not authorize a visitor to inquire into the circumstances relating to the admission to or retention in an institution or home of a child.

3. REPORTS BY VISITORS.

Within seven days, or such further time as the Director in a particular case allows, after making a visit under Section 2, a visitor shall forward to the Director a report on—

- (a) the management and conduct of the institution or home; and
- (b) the conduct of the staff; and
- (c) the health, welfare and progress of the children in the institution or home; and
- (d) such other matters as appear to him to be relevant.

4. CONFIDENTIAL NATURE OF DUTIES.

Any information concerning a child in an institution or home coming to the knowledge of a visitor shall be treated by the visitor as confidential.

PART III. – HONORARY WELFARE OFFICERS AND HONORARY LADY VISITORS.**5. LIMITATIONS ON FUNCTIONS.**

An honorary welfare officer and an honorary lady visitor shall confine his or her activities to the area specified in the instrument of his or her appointment, and to the cases assigned to him or her by the Director.

6. DUTIES IN RELATION TO INSTITUTIONS AND HOMES.

An honorary welfare officer and an honorary lady visitor shall–

- (a) at all reasonable times have access to institutions or homes for which he or she is appointed; and
- (b) maintain such personal contact with the children in the institutions and homes and their custodians as is necessary to determine that their health, welfare and progress is adequately safeguarded; and
- (c) advise the Director from time to time as to the suitability or otherwise of those institutions or homes for the children maintained there.

7. SPECIAL DUTIES IN RELATION TO CERTAIN CHILDREN.

In relation to a child in respect of whom an allowance is granted, an honorary welfare officer and an honorary lady visitor shall–

- (a) maintain contact with the home and child concerned; and
- (b) ascertain whether or not the allowance granted is being expended for the benefit of the child; and
- (c) report to the Director if he or she thinks that–
 - (i) circumstances have arisen that would justify the termination of or a variation in the allowance granted; or
 - (ii) by reason of the habits or misconduct of a person living in that home, the welfare of the child concerned might be adversely affected.

8. SUPPLY OF INFORMATION BY THE DIRECTOR.

The Director shall cause an honorary welfare officer and an honorary lady visitor to be given such information with respect to children as is necessary to enable him or her to perform the duties imposed on him or her by the Act and this Regulation.

9. REIMBURSEMENT OF EXPENSES.

An honorary welfare officer and an honorary lady visitor shall be reimbursed by the State for any expenses that the Director certifies have reasonably been incurred by him or her in the performance of his or her duties.

10. CONFIDENTIAL NATURE OF DUTIES.

Any information concerning a child coming to the knowledge of an honorary welfare officer or an honorary lady visitor in the course of his or her duties shall be treated by him or her as confidential.

11. AUTHORITY CARDS.

(1) An authority card issued under Section 12(3) of the Act shall be in Form 1.

(2) An honorary welfare officer and an honorary lady visitor must, on the termination of his or her appointment, deliver his or her authority card to the Director.

Penalty: A fine not exceeding K20.00.

(3) Except for the purpose of Subsection (4), a person, other than an honorary welfare officer, an honorary lady visitor or the Director, who has or retains an authority card in his possession is guilty of an offence.

Penalty: A fine not exceeding K20.00.

(4) A person, other than an honorary welfare officer or an honorary lady visitor, who comes into possession of an authority card must immediately deliver it to a commissioned officer of the Police Force for delivery to the Director.

Penalty: A fine not exceeding K40.00.

PART IV. – ALLOWANCES IN RESPECT OF CERTAIN CHILDREN.**12. APPLICATIONS FOR ALLOWANCES.**

An application for an allowance shall be in Form 2.

13. PRECONDITIONS TO GRANT.

Where an applicant for an allowance is a deserted wife or the mother of an illegitimate child, an allowance shall not be granted unless the Director is satisfied that the applicant has taken reasonable action to compel the father of the child to contribute towards the maintenance of the child.

14. CONDITIONS OF GRANT.

(1) The allowance may be discontinued or varied if any change occurs—

- (a) in the circumstances as disclosed in the particulars furnished with the application for the allowance; or
- (b) in any other circumstances that were taken into account in determining whether or not the allowance should be granted.

(2) The person to whom the allowance is paid shall—

- (a) notify the Director immediately of any change of address; and
- (b) promptly and truthfully reply to all inquiries addressed to him by the Director, or a person authorized by the Director in writing for the purpose, relating to—
 - (i) any of the particulars furnished in the application for the allowance; or
 - (ii) any other circumstances that were taken into account in determining whether or not the allowance should be granted.

(3) A person authorized by the Director for the purpose shall have access to—

- (a) the child for whose support the allowance is granted; and
- (b) the place at which the child resides,

and for that purpose shall be permitted to make visits to that place as and when the Director thinks fit.

15. AMOUNT OF ALLOWANCE.

An allowance shall be of such amount or value as the Director determines having regard to all the circumstances but shall not in any case be of greater amount or value than K7.00 per week in respect of each child for whom assistance is granted.

PART V. – INSTITUTIONS.

16. APPLICATION FOR APPROVAL.

(1) An application for the approval of an establishment as an institution shall be made to the Director in Form 3.

(2) On receipt of an application under Subsection (1), the Director shall—

- (a) cause such inquiries to be made in relation to the application as he thinks necessary; and
- (b) submit the application to the Minister with his recommendation.

17. CONDITIONS OF APPROVAL.

In relation to a child in an institution, the superintendent shall—

- (a) provide the child with, or cause him to be provided with, suitable and adequate food, lodging and clothing; and
- (b) provide the child with, or cause him to be provided with adequate and suitable education and recreation; and
- (c) train the child, or cause him to be trained, in habits of diligence and usefulness, provide him or cause him to be provided with good moral and religious training and, as far as practicable, send him or cause him to be sent to a place of worship or Sunday School at least once in each week; and
- (d) ensure that any household duties performed by the child are not unreasonable for a person of his age and physical development; and
- (e) notify the Director immediately of any change of his address or of any period of absence of the child from the institution; and
- (f) ensure that the child does not leave the institution to reside in another institution without the permission of the Director; and
- (g) give immediate notice to the Director and to the officer-in-charge of the nearest police station if the child absconds, leaves his care or dies.

18. INSPECTION OF INSTITUTIONS.

At any time after the approval of an establishment as an institution, the Director may cause an examination of the establishment to be made for the purpose of determining—

- (a) the nature and suitability of the sleeping, dining, recreational, educational and other facilities provided; and
- (b) the adequacy or otherwise of the bathroom, kitchen, laundry and other domestic provisions; and

- (c) the staff arrangements, including the duties, hours of duty and conditions of employment of each employee; and
- (d) the method in operation for the provision of medical attention; and
- (e) the procedure adopted for the correction of misbehaviour on the part of the children in the institution; and
- (f) the extent to which children in the institution are required to perform day-to-day duties in the institution, as distinct from any temporary tasks of a training or disciplinary nature; and
- (g) the methods of training, education and general rehabilitation employed in relation to children in the institution; and
- (h) generally, the methods of organization and management operating in the institution and the adequacy or otherwise of the provisions existing for the care and welfare of children in the institution.

19. CONDUCT OF INSTITUTIONS.

The superintendent of an institution shall comply with any reasonable direction given by the Director for the more effective control and supervision of the institution and the children in the institution.

20. OBSERVANCE OF SECRECY BY INSTITUTION STAFF.

All officers and employees on the staff of an institution shall regard as strictly confidential any information coming to their knowledge in the course of their duties concerning a child in the institution or the circumstances associated with the admission of a child to the institution.

21. CASUAL VISITORS TO INSTITUTIONS.

(1) Ministers of religion, relatives and friends may visit a child in an institution at such times as the Director, in his absolute discretion, permits, and a permit may be granted subject to such conditions as the Director thinks proper.

(2) Where the superintendent of an institution is of opinion that a person holding a permit under Subsection (1) is behaving or is likely to behave in such a manner as to be detrimental to the child concerned, he may refuse the person permission to enter the precincts of the institution.

(3) If a person holding a permit under Subsection (1) visits an institution and commits a breach of a condition under which the permit was granted—

- (a) the permit may be immediately revoked by the superintendent of the institution; and
- (b) the person may be directed to leave the institution immediately.

(4) The superintendent of an institution shall keep a record of the names and addresses of persons visiting a child in the institution, together with the dates of the visits.

22. REGISTER OF ADMISSIONS.

(1) The superintendent of an institution shall keep a register of children who have been directed to be kept in the institution.

(2) The register referred to in Subsection (1) shall be in Form 4.

23. CORPORAL PUNISHMENT IN INSTITUTIONS.

(1) In the management, control and supervision of an institution, every effort shall be made by the superintendent to enforce discipline without the use of corporal punishment.

(2) Corporal punishment may be ordered only by the superintendent.

(3) Where corporal punishment is inflicted, a record of the punishment shall be entered in a book to be kept for the purpose by the superintendent.

(4) A book referred to in Subsection (3) shall be in Form 5.

(5) Corporal punishment shall only be inflicted subject to the following conditions:—

- (a) it shall be inflicted only with a cane of a form and kind approved by the Director; and
- (b) it shall be applied to the hands only, and shall not exceed two strokes on each hand; and
- (c) it shall not be inflicted on a sick child or in the presence of another child; and
- (d) it shall not be inflicted—
 - (i) on a male child of or over the age of 16 years; or
 - (ii) on a female child of or over the age of 15 years; or
 - (iii) on a child suffering from any mental or physical disability where a medical practitioner approved by the Director, or some other person approved by the Director, certifies that corporal punishment should not be inflicted on the child.

24. CONTRIBUTIONS TO MAINTENANCE.

The superintendent of an institution shall not, without the approval of the Director, accept from a relative of a child in the institution or from any other person monetary assistance towards the maintenance of the child.

25. NOTICE OF ILLNESS OR DEATH.

The superintendent of an institution shall notify the Director immediately in the event of any illness of or accident to or death of a child in the institution and in the event of death shall also notify the officer-in-charge of the nearest police station.

26. ABSCONDING CHILDREN.

The superintendent of an institution shall not permit a child in the institution to leave the institution without the approval of the Director, and in the event of a child absconding shall notify the Director and the officer-in-charge of the nearest police station immediately.

27. MONTHLY RETURNS.

The superintendent of an institution shall furnish a return to the Director, on or before the seventh day in each month showing the names, dates of birth and dates of admission or discharge of children admitted or discharged from the institution during the month before the day on which the return is furnished.

PART VI. – MENTALLY DEFECTIVE CHILDREN.

28. ADMISSION TO HOME.

An order under Section 24 of the Act admitting a child to a home shall be in Form 6.

29. DISCHARGE.

An order under Section 26(1) of the Act discharging a child from a home shall be in Form 7.

30. RELEASE ON LICENCE.

(1) An order under Section 26(2) of the Act, releasing on licence a person admitted as a mentally defective child shall be in Form 8.

(2) For the purposes of Section 26(2) of the Act, the prescribed conditions of a release on licence are the conditions set out in Form 8.

31. RECOMMITTAL TO HOME.

An order under Section 26(3) of the Act recommitting a child referred to in Section 36(1) of the Act shall be in Form 9.

**PART VII. – DESTITUTE, NEGLECTED, INCORRIGIBLE AND
UNCONTROLLABLE CHILDREN.**

32. PAYMENT FOR ACCOMMODATION.

The rate of payment for the accommodation of a child placed in the home of an officer of the Police Force under Section 37 of the Act shall be K3.50 for each day or part of a day for which the child is so accommodated.

33. NOTICE TO GUARDIAN OF HEARING.

A notice required to be given under Section 40(3) of the Act shall be in Form 10.

PART VIII. – TRANSFER OF MINORS FROM CORRECTIVE INSTITUTIONS, ETC., TO INSTITUTIONS UNDER THE ACT.

34. TRANSFER TO INSTITUTION.

An order under Section 48(1) of the Act directing the transfer of a detainee to an institution shall be in Form 11.

35. RETRANSFER TO CORRECTIVE INSTITUTION, ETC.

An order under Section 48(4) of the Act for the transfer of a person to a corrective institution or lock-up shall be in Form 12.

PART IX. – WARDS.

36. CONTRACTS OF APPRENTICESHIP AND EMPLOYMENT.

(1) A contract of apprenticeship under Section 73(2) of the Act shall be in a form approved by the Director.

(2) A contract in relation to employment under Section 73(2) of the Act shall be in a form approved by the Director.

37. APPLICATION OF WITHHELD WAGES.

The Director may, in his absolute discretion, invest all or portion of the money held under Section 73(4) of the Act in investments authorized by the Trustees and Executors Act.

38. APPLICATION FOR RETURN OF WARD SENT OVERSEAS.

An application under Section 75(4) of the Act for the return to Papua New Guinea of a child ceasing to be a ward shall be in Form 13, and shall be forwarded to the Director within three months of the child ceasing to be a ward.

**PART X. – LICENSING OF CHILD-MINDING AND CHILD CARE CENTRES,
ETC.**

39. INTERPRETATION OF PART X.

In this Part, unless the contrary intention appears—

“child care establishment” means a place used or intended to be used for the reception and care of a child or children, under the age of seven years, apart from his or their mother or other parent;

“child-minding centre” means a creche, day nursery or baby-minding or child-minding centre, or any other place used or intended to be used for a similar purpose, but does not include—

- (a) a pre-school or similar institution conducted by the State; or
- (b) a child care establishment;

“licence” means a licence under Section 83 of the Act.

40. APPLICATIONS FOR LICENCES.

(1) An application for a licence in respect of—

- (a) a child care establishment shall be in Form 14; and
- (b) a child-minding centre shall be in Form 15,

and shall be made to the Director.

(2) An application under Subsection (1) shall be accompanied by a certificate signed by—

- (a) a medical practitioner; or
- (b) a minister of religion; or
- (c) a commissioned officer of the Police Force; or
- (d) some other responsible person approved by the Director,

as to the fitness of the applicant for the care and custody of children.

41. REQUIREMENTS FOR LICENSING.

Before granting a licence, the Director shall satisfy himself as to—

- (a) the sanitary condition of the place proposed to be licensed; and
- (b) the provision made for the accommodation for children; and
- (c) the suitability of the place for the purpose for which it is proposed to be licensed.

42. FORM OF LICENCES.

(1) A licence issued in respect of—

- (a) a child care establishment shall be in Form 16; and
- (b) a child-minding centre shall be in Form 17.
- (2) A licence shall specify—
 - (a) the purpose for which it is granted; and
 - (b) the maximum number of children who—
 - (i) in the case of a child care establishment—may be received and cared for in the establishment; and
 - (ii) in the case of a child-minding centre—may attend the centre.

43. CONDITIONS OF LICENCES.

In addition to any conditions that are imposed by the Director, a licence is subject to the following conditions:—

- (a) each child shall be cared for to the satisfaction of the Director; and
- (b) the structures and buildings constituting the child-minding centre, or the child care establishment, as the case may be, and all fittings, equipment and requisites shall be maintained to the satisfaction of the Director; and
- (c) the child-minding centre or child care establishment, as the case may be, must be equipped with such means of extinguishing fire as the Director may specify from time to time, in writing, and the equipment must be kept at all times in efficient working order; and
- (d) at no time will a greater number of children than the maximum number specified in the licence be permitted to enter or remain on the child-minding centre or child care establishment; and
- (e) the person in charge of the child-minding centre or child care establishment shall—
 - (i) notify the Director of any child who meets with an accident or suffers from an illness; and
 - (ii) secure medical aid for the child; and
- (f) the person in charge of the child-minding centre or child care establishment must retain the qualifications (if any) specified in the application for the licence; and
- (g) the staff of the child-minding centre or child care establishment shall be maintained at the number specified in the licence and with the like qualifications as those so specified; and
- (h) at all times the children shall be under the supervision of the person in charge of the child-minding centre or child care establishment or some other person approved in writing by the Director.

44. NOTICE OF RECEPTION, DEPARTURE, ETC., OF CHILDREN.

(1) The particulars of a child received into a child care establishment shall be entered on Form 18 and the form shall be forwarded to the Director within seven days of the reception of the child.

(2) Where the care of a child referred to in Subsection (1) is relinquished, a notice of relinquishment in accordance with Form 19 shall be forwarded to the Director within seven days of the relinquishment of the care of the child.

45. NOTICE OF DEATH OR ILLNESS.

(1) A notice of the death of a child at a child care establishments shall—

(a) be in Form 20; and

(b) be forwarded to the Director within seven days of the death of the child.

(2) A notice of illness or accident of a child at a child care establishment shall be in Form 21.

46. NOTICE OF CHANGE OF ADDRESS.

A notice of change of the place of abode of the person in charge of a child care establishment required by Section 90 of the Act shall be in Form 22.

47. REGISTER OF CHILDREN.

A register required by Section 84 of the Act to be kept in relation to a child care establishment shall be in Form 23 and shall contain the information specified in that form.

PART XI. – PENALTIES.

48. GENERAL PENALTY.

A person who contravenes or fails to comply with any provision of this Regulation, or who fails to comply with an order or notice made or given under this Regulation, is guilty of an offence.

Penalty: If no other penalty is provided, a fine not exceeding K100.00.

SCHEDULE 1

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 1 – Authority Card.

Act, Sec. 12(3). Form 1. Reg., Sec. 11(1).

... is an Honorary Welfare Officer/Honorary Lady visitor appointed under the *Child Welfare Act 1961*, for ...

Dated ... 20...

Director of Child Welfare.

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 2 – Application for Child Allowance.

Act, Sec. 14. Form 2.

Reg., Sec. 12.

Dated . . . 20...

I request that the Director of Child Welfare grant a cash allowance to enable me to support my children who are living with me.

In support of this request I furnish the following particulars:—

(Signature of Applicant.)

Signed before me at . . . 20...

(Signature of Witness.)

Personal Particulars of Applicant.

Name in full:

Date of birth: . . . Address:

Employed by . . . of . . .

If not employed, give name and address of last employer:

Capacity in which application made—

* A mother of a child.

* A single woman with an adopted child.

* A father of a child, who is incapacitated from following any occupation.

Date of marriage: . . . 20... Place: . . .

Maiden name (where applicant is female):

Place of birth:

Personal Particulars of Husband or Wife.

Name:

Place of birth:

Date of birth: . . . Occupation:

Whether living at home:

Last employed by . . . of . . .

Earnings: . . . per week.

Ceased to work on:

Where Husband/Wife or Applicant is Incapacitated the following particulars should be completed:—

Nature of incapacity:

If in hospital, name of hospital:

Date admitted: . . . 20...

Was incapacity caused through circumstances arising out of his employment?

Has any compensation been paid?

If so—

Amount per week:

By whom paid:

From what date was payment made?

Is compensation still being paid?

If not, when did payment cease?

Has a claim been made for continuance?

If no payment made, has a claim for payment been lodged?

In the case of Desertion, the following particulars should be completed:—

My husband/wife unlawfully deserted me at . . . on . . . 20...

Has maintenance order been made? . . . If so, date order made: . . . 20...

Amount per week:

Court where order was made:

Court where order is payable:

Is the order being complied with?

If not, what steps have been taken to enforce compliance?

Has a warrant been issued? . . . If so when?

At what Court?

If husband committed to gaol or Corrective Institution, name and situation of gaol or Corrective Institution: . . . at . . .

Date of committal: . . . 20...

Period of sentence:

Where application is made in respect of an Illegitimate Child, the following information should be furnished:—

Name of putative father of child:

Last heard of at . . . on . . . 20...

Has maintenance order been made?

If so—

Date order made: . . . 20...

Amount per week: . . . Court where order was made:

Court where order is payable:

Is the order being complied with?

If not, what steps have been taken to enforce compliance?

If no order made, what action was taken?

Has a warrant been issued for his arrest?

When?

At what Court?

If Husband or Wife Deceased, complete the following:—

Date of death: . . . 20...

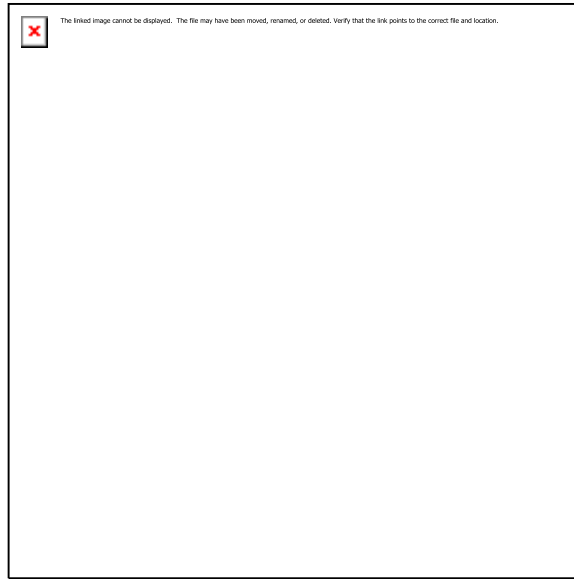
At . . .

Insured with . . .

For K . . .

Which was/will* be paid to me on . . . 20...

Address of Insurance Company:



When was account closed?

Is there a bank account in the name of any of the children?

Is there any money due to you or your husband or wife in respect of properties sold or services rendered?

Do you own the house in which you live?

What did it cost? K . . .

What is it valued at now? K . . .

If paying off, amount owing: K . . .

Monthly repayments: K

Rates: K

Other property owned (*full particulars to be given, especially where property is situated*).

Are you or any of your children beneficiaries in any estate?

If not living in own home, what rent do you pay? . . . per week.

Have you ever previously applied to the Government for assistance? . . . If so, when and under what name: . . .

Particulars of Weekly Income.

A.	From my own exertions as	K	per week.
B.	From my husband or wife	K	per week.
C.	From my children	K	per week.
D.	From military pension	K	per week.
E.	From Workmen's Compensation	K	per week.
F.	From Lodge (<i>or equivalent</i>)	K	per week.
G.	From any other source	K	per week.
Total		K	per week.

If housekeeping for anyone, state whether board is provided in addition to wages paid, and also whether any concession is made in respect of the children:

If husband is an ex-serviceman, military particulars must be furnished:—

Rank: . . . Regimental number:

Unit:

Conditions of Grant of Allowance.

The conditions of the granting of an allowance under Section 14 of the Act are as follows:—

- (a) that the allowance may be discontinued or varied if any change occurs in the circumstances as disclosed in the particulars furnished with the application or in any other circumstances that were taken into account in determining whether or not the allowance should be granted; and
- (b) that the person to whom the allowance is paid—
 - (i) shall notify the Director of Child Welfare immediately of any change of address; and

- (ii) shall promptly and truthfully reply to all inquiries addressed to him by the Director of Child Welfare or any person authorized by the Director for the purpose, relating to—
 - (A) any of the particulars furnished in the application; or
 - (B) any other circumstances that were taken into account in determining whether or not the allowance should be granted; and
- (c) that any person authorized by the Director of Child Welfare for the purpose have access to the child for whose support the allowance is granted and to the place at which the child resides, and for such purpose shall be permitted to make visits to such place as and when the Director thinks fit.

*Strike out whichever is inapplicable.

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 3 – Application for Approval of Establishment as an Institution under the Child Welfare Act.

Act, Sec. 16. Form 3. Reg., Sec. 16(1).

Application is made for the approval of the mission station/orphanage/school/home/establishment,* situated at . . . in the . . . Province as an institution under Part IV, of the *Child Welfare Act* 1961.

Dated . . . 20...

(*Signature of Applicant.*)

(*Title of Applicant.*)

*Strike out whichever is inapplicable.

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 4 – Register of Children.

Reg., Sec. 22. Form 4.

Name.	Sex.	Age of Admission.	Address.	Date admitted.	Court admitting.	Date of order for admission.	Period for which admitted.	Offence, State Section etc.	Comments: discharge or transfer, etc.

PAPUA NEW GUINEA.**Child Welfare Act 1961.****Form 5 – Punishment Book.**

Act, Sec. 109 Form 5.Reg., Sec. 23(4).

Date of offence	Name of offender	Misconduct alleged	Name of complainant and witness	Hearing and Determination				Corporate Punishment		
				Date	Place	Decision	Signature of superintendent	Date inflicted	Number of strokes inflicted	By whom inflicted

PAPUA NEW GUINEA.**Child Welfare Act 1961.****Form 6 – Order for Admission of Child to Home for Mentally Defective Children.**

Act, Sec. 24. Form 6.Reg., Sec. 28.

..., aged ... of ..., has been examined by two medical practitioners, in accordance with the provisions of Section 24 of the *Child Welfare Act 1961*, and has been certified by them, after a separate examination, apart from each other, as a mentally defective child:

It is therefore ordered that ... be sent to the home for mentally defective children known as ... situated at ... without delay and detained there until he is lawfully discharged under the provisions of Section 26 of the *Child Welfare Act 1961*.

Dated ... 20...

Director of Child Welfare.

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 7 – Order for Discharge from Home for Mentally Defective Children.

Act, Sec. 26(1). Form 7.Reg., Sec. 29.

Being satisfied that it is no longer necessary that . . . , aged . . . , an inmate of a home for mentally defective children, known as . . . situated at . . . , should be further detained in such a home, I order that he be discharged from the home under Section 26 of the *Child Welfare Act 1961*.

Dated . . . 20...

Director of Child Welfare.

PAPUA NEW GUINEA.

Child Welfare Act 1961.

***Form 8 – Order for Release on Licence from Home for Mentally
Defective Children.***

Act, Sec. 26(2). Form 8.Reg., Sec. 30.

Being satisfied that . . . , aged . . . , an inmate of a home for mentally defective children known as . . . situated at . . . might in his own interests be released on licence, I order that he be released on licence from the home under Section 26 of the *Child Welfare Act 1961*.

The release on licence is subject to the following conditions—

- (a) that he be of good behaviour; and
- (b) that he remain in the care of the person to whose care he has been released; and
- (c) that the person to whose care he has been released on licence shall enter into an agreement with the Director of Child Welfare, which shall provide—
 - (i) that, if he is over school age, he shall be placed in employment thought suitable by the Director, or, in the event of his being kept at home or in some other place of residence, that reasonable precautions shall be taken for his supervision; and
 - (ii) that the person assuming his care shall exercise careful supervision over his progress and behaviour and promptly bring under the notice of the Director any conditions that would lead him to think that the child should be detained further in a home for mentally defective children, or be submitted to a further examination to determine his mental condition; and
 - (iii) that the person assuming the care of the child shall notify the Director of any change of his address and also inform the Director immediately if the released inmate leaves his care, temporarily or otherwise.

Dated . . . 20...

Director of Child Welfare.

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 9 – Order Revoking Release on Licence and Recommitting to Home for Mentally Defective Children.

Act, Sec. 26(3). Form 9.Reg., Sec. 31.

Whereas . . . aged . . . of . . . was released on licence from . . . situated at . . . , a home for mentally defective children, on certain conditions:

And whereas I am satisfied that he has failed to comply with the conditions specified in the licence, I revoke his release on licence and direct that he be detained in the home for mentally defective children known as . . . situated at . . . for a further period.

Dated . . . 20...

Director of Child Welfare.

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 10 – Notice to Guardian of Hearing.

Act, Sec. 40(3). Form 10.Reg., Sec. 33.

To
of

You are required to attend at . . . , on . . . 20..., at . . . am/pm, on the hearing of an application/charge* in respect of you: . . .

The details of the application/charge* are as follows—

Dated . . . 20...

(Signature.)

(Position.)

NOTE.—Section 40(5) of the *Child Welfare Act 1961* provides that if you do not obey this notice a warrant may be issued for your arrest.

*Strike out whichever is inapplicable.

PAPUA NEW GUINEA.

Child Welfare Act 1961.

***Form 11 – Order for Transfer of a person from Corrective
Institution/Police Lock-up to Institution under the
Child Welfare Act 1961.***

Act, Sec. 48(1). Form 11.Reg., Sec. 34.

Whereas . . . aged . . . of . . . , a detainee in the . . . Corrective Institution/Police lock-up* was on the . . . 20..., committed to that Corrective Institution/Police lock-up* for the purpose of serving a sentence of . . . years . . . months imposed on him by the Court on a charge of . . . :

Now, I, . . . , Director of Child Welfare, direct that he be transferred to the . . . Institution situated at

Dated . . . 20...

Director of Child Welfare.

I consent to the above order:

Minister for

Dated . . . 20...

*Strike out whichever is inapplicable.

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 12 – Order Retr transferring person to Corrective Institution/Police Lock-up.

Act, Sec. 48(4). Form 12.Reg., Sec. 35.

Whereas . . . aged . . . is an inmate of the Institution under the above Act situated at . . .
. . . to which Institution he was transferred under Section 48(1) of the *Child Welfare Act*
1961 on . . . 20...

And whereas I am satisfied that . . . is not a fit and proper person for detention in that
Institution:

Now, I, . . . , Director of Child Welfare, order that . . . be retransferred to the
Corrective Institution/Police lock-up* at . . . and to be delivered into the hands of the
officer-in-charge.

Dated . . . 20...

Director of Child Welfare.

I consent to the above order:

Minister for . . .

Dated . . . 20...

*Strike out whichever is inapplicable.

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 13 – Application by Former Ward for Return to Papua New Guinea.

Act, Sec.75(4). Form 13.Reg., Sec.38.

Pursuant to Section 75(4) of the *Child Welfare Act* 1961 I, . . . of . . . , apply to be
returned to Papua New Guinea. I was sent out of Papua New Guinea on . . . 20... I
ceased to be a ward on . . . 20...

Dated . . . 20...

(Signature of Applicant.)

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 14 – Application for a Licence for a Child Care Establishment.

Act, Sec.83. Form 14.Reg., Sec.40(1)(a).

The Director of Child Welfare,

I . . . , (*insert age, religion, full address and occupation*), apply for a licence in respect of the place known as . . . situated at . . . established or used for the reception and care of a child or children under the age of seven years apart from his or their mother or other parent.

Particulars.

Husband's name (*in full*):

Occupation of husband:

Is husband living at home . . . if not, give reasons:

Sex and ages of applicant's children at home:

Maximum number of children proposed to be received and cared for in the place—

- (a) under the age of one year:
- (b) aged one year or over but under the age of two years:
- (c) aged two years or over but under the age of three years:
- (d) aged three years or over but under the age of four years:
- (e) aged four years or over but under the age of seven years:

Particulars of children in applicant's care at present other than applicant's own children.

Names.	Dates of birth.	Charge.

Dated . . . 20...

(*Signature of Applicant.*)

CERTIFICATE.

(*To be signed by a medical practitioner, minister of religion or commissioned officer of the Police Force or other responsible person.*)

I am acquainted with the applicant's husband (*or wife*) and family and I consider them respectable and the home suitable for the reception and care of children under the age of seven years.

Dated . . . 20...

(*Signature.*)

(*Capacity of person giving certificate.*)

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 15 – Application for a Licence for a Child-minding Centre.

Act, Sec. 83. Form 15.Reg., Sec. 40(1)(b).

Name of place:

Address:

I apply for a licence in respect of the place named . . . situated at . . . established and used for the purpose of conducting a day nursery or kindergarten (*or as the case may be*).

The following are the particulars in respect of the place:—

How supported:

If in receipt of Government aid:

How controlled:

Name and qualifications of person in charge:

Number of staff and qualifications:

(*Signature of Applicant.*)

(*Position.*)

(*Date.*)

CERTIFICATE.

(*To be signed by a medical practitioner, minister of religion or commissioned officer of the Police Force or other responsible person.*)

I am acquainted with the applicant's husband (*or wife*) and family and I consider them respectable and the home suitable for the reception and care of children under the age of seven years.

Dated . . . 20...

(*Signature.*)

(*Capacity of person giving certificate.*)

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 16 – Licence as a Child Care Establishment.

Act, Sec. 83. Form 16.Reg., Sec. 42(1)(a).

The place situated at . . .
and named . . .
is licensed for the purpose of the conducting of a child care establishment under the
Child Welfare Act 1961 for the reception and care of not more than . . . children,
under the age of seven years, apart from their mother or other parent of whom—
not more than shall be under the age of one year; and
not more than shall be aged one year or over and under two years; and
not more than shall be aged two years or over and under three years; and
not more than shall be aged three years or over and under four years; and
not more than shall be aged four years or over and under seven years,
subject to the following conditions:—
. . .
Dated . . . 20...

Director of Child Welfare.

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 17 – Licence as a Child-minding Centre.

Act, Sec. 83. Form 17.Reg., Sec. 42(1)(b).

The place situated at . . .
and named . . .
is licensed for the purpose of the conducting of a child-minding centre under the *Child
Welfare Act 1961* for not more than . . . children, subject to the following
conditions:—
. . .
Dated . . . 20...

Director of Child Welfare.

PAPUA NEW GUINEA.

Child Welfare Act 1961.

***Form 18 – Notice of Reception of a Child into Child Care
Establishment.***

Act, Sec. 89. Form 18.Reg., Sec. 44(1).

Name of child (*in full*):

Date of birth: . . . Place of birth:

Religious denomination of child:

Name of mother (*all given names in full*):

Martied, single or divorced:

Address of mother:

Name of father (*all given names in full*):

Address of father:

Occupation of father:

Name of person from whom child was received:

Address:

Date when child was received:

Particulars of attangement made by the parent for—

(a) clothing; and

(b) medical attendance.

Amount agreed to be paid per week in respect of the child:

By whom

Dated . . . 20...

(*Signature of Person in Charge of Establishment.*)

(*Address of establishment.*)

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 19 – Notice of Relinquishment of Care of Child.

Act, Sec., 90. Form 19.Reg., Sec. 44(2).

To the Director of Child Welfare,

I give notice that I have relinquished the care of . . . a child formerly under my care at
(*address of establishment*). The child was removed on (*date of removal*) by (*name*),
(*occupation*), to the care of (*name*), (*occupation*), residing at (*full address*).

The occupation of . . . , husband of . . . to whose care the child has been removed, is
that of

Dated . . . 20...

(*Signature of person in Charge of Establishment.*)

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 20 – Notice of Death in Child Care Establishment.

Act, Sec. 91. Form 20.Reg., Sec. 45(1).

The Director of Child Welfare,

. . . .

I give notice that (*name of child*) at (*name of establishment*) died on . . . 20...

The circumstances surrounding the death of that child were:—

Dated . . . 20...

(*Signature of person in Charge of Establishment.*)

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 21 – Notice of Illness or Injury of a Child.

Reg., Sec. 45(2). Form 21.

The Director of Child Welfare,

I give notice that (*name of child*) at (*name of establishment*) suffered an illness/accident* on . . . 20...

The details of which are as follows:—

Dated . . . 20...

(*Signature of person in Charge of Establishment.*)

NOTE.—Section 1 of the *Child Welfare Regulation 1962* defines an "accident" or "illness" as being an accident or illness requiring treatment by a medical practitioner or medical assistant.

*Strike out whichever is inapplicable.

PAPUA NEW GUINEA.

Child Welfare Act 1961.

Form 22 – Notice of Change of Abode.

Act, Sec. 90. Form 22.Reg., Sec. 46.

The Director of Child Welfare,

I am the person in charge of the child care establishment named . . . and licenced under the *Child Welfare Act 1961*.

I give notice that I have changed my place of abode from . . . to . . .

Dated . . . 20...

(*Signature of person in Charge of Establishment.*)

PAPUA NEW GUINEA.**Child Welfare Act 1961.****Form 23 – Register of Children in Child Care Establishment.**

Act, Sec. 84. Form 23.Reg., Sec. 47.

Name of Establishment: Situation of Establishment:

Name of Person in Charge:

PART I.—Personal Information Respecting Children Admitted and Discharged.

Register No.	Name of child.	Date of birth.	Religion of child.	Place of birth.	Name, address, occupation and description of parents.	Name, address, occupation and description of any person other than the parents from or to whom the child was received or delivered over.	Date child received.	Date handed over.	Particulars of arrangements made by mother for the care of infant.

PART II.—Numerical Information Respecting Children.

Week ending (Date)	Number of children in establishment at beginning of week. Number of admissions.	Number of discharges.	Number of abscondings.	Number of deaths.	Total number of children remaining at the end of the week.

Child Welfare Regulation 1962